

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. BR-317
Prescription of Reasonable Rates)	
and Charges for Motor Carriers)	GRANTED ON AN EMERGENCY
Passengers and Property for Hire)	BASIS
Subject to the Provisions of)	
Neb. Rev. Stat. (Reissue 1996),)	
Chapter 75, Articles 1 and 3.)	ENTERED: JULY 11, 2006

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On June 16, 2006, Myers Luxury Coaches, Inc., Stuart, Nebraska, filed an application for authority to establish rates and charges for its use in Nebraska intrastate commerce for the special party and charter transportation of passengers and their baggage between points in Nebraska by bus as follows:

Description	Proposed
Not more than one-hundred forty-nine (149) miles	\$2.40/mi
One hundred and fifty (150) miles and over	\$2.20/mi

NOTE: the foregoing rate shall be subject to a fuel surcharge of five cents (\$0.05) per mile for each twenty-five cent (\$0.25) that the cost of diesel fuel exceeds the base cost of \$2.75 per gallon.

Emergency action is requested.

Applicant is a carrier who holds Certificate No. B-1677, which allows for the transportation of passengers and their baggage as a common carrier in special party and charter service between points in the state of Nebraska by bus. RESTRICTIONS: (1) The transportation of railroad crews and their baggage is not authorized. (2) Regular route service between Chadron and Norfolk is not authorized; (3) Transportation for trips originating in Douglas, Lancaster and Sarpy counties is not authorized. HHS designation: No.

In support of this application, the Applicant states that he acquired the certificate on July 11, 2006. The Applicant states that the proposed rates are necessary to establish the service and cover its operating costs as well as produce a reasonable rate of return. The rates are stated to be reasonable for the type of equipment operated and the nature of the service provided by the applicant.

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The proposed rates are similar and competitive with those rates authorized for use by other companies providing a similar service in its area. The Commission finds that these rates are reasonable. The Commission also finds that the rates should be approved on an emergency basis due to the recent acquisition of the authority by the applicant.

Upon consideration of the application and being fully advised in the premises, the Commission is of the opinion and finds that the application should be granted on an emergency basis effective July 14, 2006.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective July 14, 2006, Myers Luxury Coaches, Inc., Stuart, Nebraska, be, and it is hereby, authorized to establish its rates for its use as follows:

<u>Description</u>	<u>Rate</u>
Not more than one-hundred forty-nine (149) miles	\$2.40/mi
One hundred and fifty (150) miles and over	\$2.20/mi

NOTE: the foregoing rate shall be subject to a fuel surcharge of five cents (\$0.05) per mile for each twenty-five cent (\$0.25) that the cost of diesel fuel exceeds the base cost of \$2.75 per gallon.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that public notice of this action be published in The Daily Record, Omaha, Nebraska pursuant to the provisions of Section 75-121, R.R.S. 1996, and the Commission's rules.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of July, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald D. Vay

Anne C. Boyle

Paul Johnson

//s// Lowell C. Johnson

//s// Frank E. Landis

Lowell C. Johnson
Chairman

ATTEST:

Adrian Pollock
Executive Director